

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

**IN RE:** : **CHAPTER 13 PROCEEDING**  
**LEROY N. BUTLER** : **CASE NO. 17-60436**  
 : **JUDGE RUSS KENDIG**  
**DEBTOR(S)** : **ORDER CONFIRMING PLAN**  
\*\*\*\*\*

The Chapter 13 3RD AMENDED plan in this case filed as attached came on for confirmation at a hearing before the Court. Based upon the papers filed in this case, information presented by the Standing Chapter 13 Trustee (the "Trustee") and such other matters, if any, presented by the debtor (or debtors in a joint case) (the "Debtor"), Debtor's counsel, any objections or any other interested party, the Court finds that:

1. Notice of the confirmation hearing was duly given.
2. The Plan complies with applicable provisions of Title 11 of the United States Code (the "Bankruptcy Code").

**IT IS THEREFORE ORDERED THAT:**

1. The Plan is confirmed in all respects not contrary to prior or subsequent orders of the Court.
2. The Debtor shall not incur additional debt exceeding \$500.00 in the aggregate without notice to the Trustee and the approval of the Court.
3. The Debtor shall not transfer any interest in real property without the Court's approval.
4. All property of the estate scheduled in accordance with Bankruptcy Rule 1007(h), vest in the debtor(s) pursuant to 11 USC Section 1327(b). All property of the estate that is not properly scheduled or any property that is acquired subsequent to the filing of the petition does not vest to the debtor(s) and remains property of the estate unless Court ordered.
5. The attorney for the Debtor is allowed a total fee of **\$BY FEE APPLICATION** of which **\$300.00** has been paid. The balance will be paid pursuant to the Court's administrative order regarding Attorney fees.

**/S/ RUSS KENDIG**

United States Bankruptcy Judge

**APPROVED:**

  
\_\_\_\_\_  
**Toby L. Rosen, Chapter 13 Trustee**

**Service List**

LEROY N. BUTLER  
204 HELEN AVENUE  
MANSFIELD, OH 44903

REBECCA K HOCKENBERRY  
HOCKENBERRY LAW OFFICE  
PO BOX 1014  
ASHLAND, OH 44805

CAPITAL ONE AUTO FINANCE  
C/O D. ANTHONY SOTTILE, ESQ  
SOTTILE AND BARILE, ATTORNEYS AT LAW  
PO BOX 476  
LOVELAND, OH 45140



UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO

In re: ) Judge Russ Kendig  
LeRoy N. Butler )  
 ) Case No. 17-60436  
 )  
Debtor(s). ) ☐ Chapter 13 Form Plan Summary  
 ) ☒ Third Amended Chapter 13 Plan

**Read this carefully.** You are a party in interest in this bankruptcy case. This is a summary based upon a form plan adopted in this court. The full length form controls over the terms of this summary. Special Provisions (paragraph 1) are deviations from the form and should be read with special care. You may review the form plan at [www.ohnb.uscourts.gov](http://www.ohnb.uscourts.gov). The letters and numbers in parentheses in this plan summary are the paragraphs of the Form Plan into which the data would be inserted.

1. SPECIAL PROVISIONS:

- a. The 2013 Kia Sportage will be surrendered.  
b. Debtor is surrendering the real property located at 178 Harker, 264 Harker, and 25 Foster in Mansfield, Ohio. The Richland County Treasurer will be paid as a general unsecured creditor for any property tax owed on these properties.

☒ Continued on attached separate page(s).

2. 3.00 % or a pot of \$ N/A to general unsecured creditors (E9)

3. Assumed unexpired leases and executory contracts (B2)

Creditor	Description of asset or contract
Glen L. Maglott, Jr.	Land contract 204 Helen Avenue

☐ Continued on attached separate page(s).

All other leases and executory contracts deemed rejected.

4. Mortgages or Judgment Liens - Ongoing Monthly Payment (C, E3, E6)

Creditor	Priority	Property Address	Proposed Pymt/Mo.	To be paid by debtor, trustee, or stripped & not secured
Glen L. Maglott, Jr.	1st	204 Helen Avenue	\$ 440.00	Paid by Trustee
Richland County Treasurer		204 Helen Avenue	\$ 43.22	Paid by Trustee
Richland County Treasurer	1st	198 Helen Avenue	\$ 59.11	Paid by Trustee

☒ Continued on attached separate page(s).

5. Mortgage Arrears (E4)

<u>Creditor</u>	<u>Estimated Amount</u>	<u>Rate (%)</u>
Richland Cnty Treas (198 Helen)	\$ 10,459.08	3 %
Glen Maglott	\$ 5,527.38	0 %
		0 %

☐ Continued on attached separate page(s).

**Creditors who do not agree to rate of interest must object to confirmation or the rate in this paragraph is deemed to be absolute on confirmation. The amount of arrearage is subject to contrary proof of claim.**

6. Secured Non-mortgage claims to be paid full current balance (E5)

Creditor:	Credit Acceptance		
Collateral:	2014 Chevy Malibu		
Date Incurred:	05/2016		
Monthly Payment:	\$ 405.46		
Interest Rate:	22.99 %	%	%
Estimated Balance:	\$ 14,071.64		
Paid By:	Trustee		

☐ Continued on attached separate page(s).

7. Liens to be crammed down but not stripped (E7)

Creditor:	Capital One Auto Finance		
Date Incurred:	2007		
Collateral:	2007 Chevrolet Silverado		
Monthly Payment:	\$ 300.00		
Interest Rate:	5.75 %	%	%
Secured Value:	\$ 16,525.00		

☐ Continued on attached separate page(s).

**Creditors who do not agree to date incurred, collateral description, monthly payment, interest rate or secured value must object to confirmation or the treatment in this paragraph is deemed to be absolute upon confirmation, except statutory tax liens, which will be paid as allowed.**

8. Priority Claims to be paid in full and estimated as follows (E8)

<u>Creditor</u>	<u>Source &amp; Year</u>	<u>Amount</u>
IRS	multiple	\$ 1,378.13
Ohio Department of Taxation	multiple	\$ 66.49

☐ Continued on attached separate page(s).

9. The holder(s) of any claim for Domestic Support Obligations pursuant to 11 U.S.C. § 1302(d) shall be paid by the debtor unless specified in Special Provisions. The holder of the Domestic Support Obligation is specified below. If the holder of a claim is a minor, the name and address of such minor has been disclosed to the Trustee contemporaneously with the filing of this plan in compliance with 11 U.S.C. § 112. (B6)

Holder Name: \_\_\_\_\_

Holder's Address (if known): \_\_\_\_\_

Address of Child Support \_\_\_\_\_

Enforcement Agency (mandatory): \_\_\_\_\_

☐ Continued on attached separate page(s).

10. Payments to Trustee (D)

The debtor will pay to the trustee \$ 1,456.00 monthly for a minimum of 36 months, or all future disposable income, whichever is greater. Payments shall be by ☐ Wage Order on employer ☒ by Debtor ("Private Pay") in the form of money order or certified check.

11. Attorneys Fees are pursuant to the current Administrative Order. Any deviation is in Special Provisions. (E2)

/s/ LeRoy N. Butler

Debtor's signature - name typed below

LeRoy N. Butler

Debtor's signature - name typed below

/s/ Rebecca K. Hockenberry

Attorney's signature - Name (state bar #), address and phone typed below

Rebecca K. Hockenberry (0074930)

371 Lexington Ave, Mansfield, OH 44907

(567) 560-2095; (614) 737-9945 facsimile


rebecca@hockenberrylaw.com

1. Special Provisions Continued.

- c. The Trustee will pay Glen Maglott \$440 monthly beginning August 2017 on the ongoing monthly payments under the land contract agreement.
- d. Capital One Auto Finance shall be paid 0% interest pursuant to the proof of claim.
- e. The plan payments will be \$1456 for 5 months; then \$2080 for 2 months; then \$1290 for three months; then 1,795.00 for the remainder of the plan.
- f.. The Ohio Department of Taxation shall be paid as a priority claim. The priority amount is \$66.49. The unsecured portion is \$19,595.98.
- g. Credit Acceptance will be paid at an interest rate of 22.99% to protect the co-debtor.

AFFIRMATION OF TAKUR K. JACKSON


I, Takur K. Jackson, am the co-debtor on the auto loan with Credit Acceptance Corporation. I have fallen behind on the auto loan payments and my grandfather, LeRoy Butler, is amending his Chapter 13 plan to include the auto loan payments. I hereby certify that I am gainfully employed and will pay \$505.00 towards LeRoy Butler's bankruptcy Case No. 17-60436 to cover the increased payment for the auto loan and arrearage.

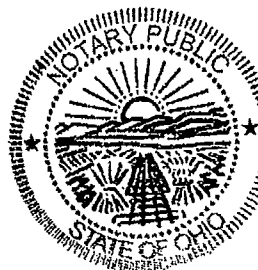
  
\_\_\_\_\_  
Takur K. Jackson

STATE OF OHIO                    )  
  )  
COUNTY OF RICHLAND        )        ss:

BE IT REMEMBERED that on the 19<sup>th</sup> day of December, 2017, before me, in and for said County and State, personally appeared Takur K. Jackson and acknowledged the signing thereof to be his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed by name and affixed my official seal on the day and year last aforesaid.

  
\_\_\_\_\_  
NOTARY PUBLIC



AMY  
PITTINGER  
NOTARY PUBLIC,  
STATE OF OHIO  
My Commission  
Expires  
Dec. 6, 2020